



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Division of Drinking Water

March 27, 2015

System No. 4600017

Certified Mail/Return Receipt
No. 7012 3460 0003 1113 1144

Larry Ostrom, Manager
R.R. Lewis Small Water Company
4500 E. Fremont Street
Stockton, CA 95215

TRANSMITTAL OF CITATION NO. 01-02-15C-005

Dear Mr. Ostrom,

The State Water Resources Control Board (Water Board), Division of Drinking Water, has issued the R.R. Lewis Small Water Company a citation, which is attached.

If you have any questions regarding this matter, please call staff engineer Steve Watson at (530) 224-4828 or me at (530) 224-4800.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael J. McNamara".

Michael J. McNamara, P.E.
Lassen District Engineer
Drinking Water Field Operations Branch

cc: Bruce Burton, Assistant Deputy Director
Northern California Drinking Water Field Operations
Richard L. Hinrichs, Chief, Northern California Section
Rami Kahlon, California Public Utilities Commission

Enclosure: Citation No. 01-02-15C-005

sww \ 4600017 RR Lewis \ File: Enforcement

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | www.waterboards.ca.gov

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Attn: Larry Ostrom, Manager

Section 116650 of the California Health and Safety Code authorizes the issuance of a citation to a public water system for violation of the California Safe Drinking Water Act (Health and Safety Code, Division 104, Part 12, Chapter 4, commencing with Section 116270) (hereinafter “California SDWA”), or any regulation, standard, permit or order issued or adopted thereunder.

The State Water Resources Control Board (hereinafter "Board"), acting by and through its Division of Drinking Water (hereinafter "Division") and the Deputy Director for the Division (hereinafter "Deputy Director"), hereby issues a citation to the R.R. Lewis Small Water Company (hereinafter, Company) (4500 E. Fremont Street, Stockton, CA 95215) for violation of California Code of Regulations (CCR), Title 22, Section 64424(d).

APPLICABLE AUTHORITIES**Section 116650 of California Health and Safety Code provides:**

(a) If the department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.

(b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.

(c) A citation may specify a date for elimination or correction of the condition constituting the violation.

(d) A citation may include the assessment of a penalty as specified in subdivision (e).

(e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.

California Code of Regulations, Title 22, Section 64424(d) provides, in relevant part:

(d) If a public water system for which fewer than five routine samples/month are collected has one or more total coliform-positive samples, the water supplier shall

1 collect at least five routine samples the following month. A water supplier may request
2 the Department waive the requirement to collect at least five routine samples the
3 following month, but a waiver will not be granted solely on the basis that all repeat
4 samples are total coliform-negative. To request a waiver, one of the following conditions
5 shall be met:

6 (1) The Department conducts a site visit before the end of the next month the
7 system provides water to the public to determine whether additional monitoring and/or
8 corrective action is necessary to protect public health.

9 (2) The Department determines why the sample was total coliform-positive and
10 establishes that the system has corrected the problem or will correct the problem before
11 the end of the next month the system serves water to the public.

12 13 STATEMENT OF FACTS

14
15 The Company operates a community water system which serves a population of
16 approximately 225 people through 119 service connections. The water system includes
17 two gravity springs, known as Anderson Spring and Wixson Spring, six distribution
18 reservoirs, four pressure zones, and a sodium hypochlorite disinfection system for the
19 water produced from Anderson Spring. The Company operates under a Water Supply
20 Permit No. 01-02-93(P)46023, issued on December 31, 1993.

21
22 During the month of January 2015, one of the three routine bacteriological samples
23 collected from the distribution system was found to contain total coliform bacteria. Four
24 repeat samples were collected during the same month and were absent of total coliform
25 bacteria. The Division did not conduct a site visit as a result of the total coliform-positive
26 sample and the Division did not determine why the sample was total coliform-positive.
27 Therefore, the Company did not qualify for requesting a waiver to Section 64424(d),

1 Lab reports indicate that only three routine bacteriological samples were collected and
2 reported during the month of February 2015.

3
4 A summary of the bacteriological sampling results reported for February 2015 is as
5 follows:

6	7	8	9	10
	<u>Date</u>	<u>Location</u>	<u>Designation</u>	<u>Result (Total Coliform)</u>
11	02/02/2015	5	Raw	Absent
12	02/02/2015	A1	Raw	Absent
13	02/02/2015	A4	Raw	Absent
14	02/02/2015	5 B	Routine	Absent
15	02/02/2015	A2	Routine	Absent
16	02/02/2015	A 3	Routine	Absent

17 DETERMINATIONS

18 The Division has determined that Company violated Section 64424(d), Title 22, of the
19 CCR, during February 2015, in that the Company failed to collect five routine
20 bacteriological samples and report the results during the month of February 2015.

21 ADMINISTRATIVE PENALTY

22
23 Sections 116650(d) and 116650(e) of the California Health and Safety Code allow for
24 the assessment of a penalty for failure to comply with requirements of the California
25 SDWA.

1 During February 2015, the Division finds that the Company violated Section 64424(d) by
2 failing to collect five routine bacteriological samples. As a result, the Division hereby
3 assesses R.R. Lewis Small Water Company a penalty in the amount of \$300.00.
4 Directions for paying this penalty are included in Directive No. 4 of this Citation.

5
6 **DIRECTIVES**
7

8 The Company is hereby directed to take the following actions:
9

- 10 1. Comply with Section 64424(d), Title 22, of the CCR in all future monitoring
11 periods.
12
- 13 2. Within 30 days of the issuance of this Citation, but in no case later than
14 **April 30, 2015**, notify all persons served by the Company of the MCL violation as
15 required by Section 64463.4 and Section 64465, Title 22, of the CCR. Notification
16 shall be completed in accordance with each of the following:
17
- 18 a. Mail or direct delivery of the notice contained in Attachment 'A' to each
19 customer receiving a bill including those that provide their drinking water
20 to others (e.g., schools or school systems, apartment building owners, or
21 large private employers), and other service connections to which water is
22 delivered by the Company.
 - 23 b. Provide the notice contained in Attachment 'A' by publication in a local
24 newspaper to reach persons not likely to be reached by a mailing or direct
25 delivery:

26 Changes and/or modifications to Attachment 'A' shall not be made unless
27 approved by the Division.

1
2 3. Complete and return Attachment 'B' entitled "Compliance Certification" by
3 **May 10, 2015**. A copy of the notices used to provide public notification shall be
4 attached to the form.

5
6 4. Submit to the Board by **April 30, 2015**, a check for the penalty of \$300.00
7 imposed by this Citation. The citation number shall be written on the check. The
8 check shall be made payable to the **California Division of Drinking Water –**
9 **Safe Drinking Water Account** and mailed to the Board along with
10 Attachment 'C' entitled "Notice of Citation Issuance."

11
12 All documents required by this Citation shall be submitted to the Board at the following
13 address:

14
15 Michael J. McNamara, P. E.
16 Lassen District Engineer
17 Division of Drinking Water
18 State Water Resources Control Board
19 364 Knollcrest Drive, Suite 101
20 Redding, CA 96002

21
22 As used in this Citation, the date of issuance shall be the date of this Citation; and the
23 date of service shall be the date of service of this Citation, personal or by certified mail,
24 on the Water System.

25
26 Nothing in this Citation relieves the Company of its obligation to meet the requirements
27 of the California SDWA or any regulation, permit, standard or order issued or adopted
28 thereunder. The Division reserves the right to make such modifications to this Citation,

1 as it may deem necessary to protect public health and safety. Such modifications may
2 be issued as amendments to this Citation and shall be effective upon issuance.
3
4

5 **FURTHER ENFORCEMENT ACTION**
6

7 The California SDWA authorizes the Board to: issue a citation with assessment of
8 administrative penalties to a public water system for violation or continued violation of
9 the requirements of the California SDWA or any permit, regulation, permit or order
10 issued or adopted thereunder including, but not limited to, failure to correct a violation
11 identified in a citation or compliance order. The California SDWA also authorizes the
12 Board to take action to suspend or revoke a permit that has been issued to a public
13 water system if the system has violated applicable law or regulations or has failed to
14 comply with an order of the Board; and to petition the superior court to take various
15 enforcement measures against a public water system that has failed to comply with or
16 violates an order of the Board. The Board does not waive any further enforcement
17 action by issuance of this citation.
18
19
20
21

22 **PARTIES BOUND**
23

24 This Citation shall apply to and be binding upon the Company, its officers, directors,
25 shareholders, agents, employees, contractors, successors, and assignees.
26
27

SEVERABILITY

The Directives of this Citation are severable, and the Company shall comply with each and every provision thereof, notwithstanding the effectiveness of any other provision.

3/27/2015

Richard L. Hinrichs

Date

Richard L. Hinrichs, P.E., Chief

Northern California Section

Division of Drinking Water

State Water Resources Control Board

Attachments:

'A' Public Notification Template

'B' Certification of Completion

'C' Notice of Citation Issuance



CERTIFIED MAIL 7012 3460 0003 1113 1144

cc: Bruce Burton, Assistant Deputy Director,

-Northern California Drinking Water Field Operations

Richard L. Hinrichs, Chief, Northern California Section

Rami Kahlon, California Public Utilities Commission

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

Monitoring Requirements not met for R.R. Lewis Small Water Company's Domestic Water System

Our water system recently violated a drinking water standard. Although this incident was not an emergency, as our customers, you have a right to know what happened and what we did to correct the situation.

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not our drinking water meets health standards. During February 2015, we did not complete the all the required testing for total coliform bacteria.

What Should You Do?

There is nothing you need to do at this time.

What Happened? What Was Done?

When a routine bacteriological sample collected from our distribution system is found to contain total coliform bacteria, we are required to collect five routine samples from the distribution system during the following month in order to determine if there is an intermittent contamination problem in the water system.

During January 2015, one of our routine samples collected in the distribution system served by the Wixson Spring was found to contain total coliform bacteria. In February 2015 we were required by regulation to collect and report the results of five routine samples from our distribution system. We only collected three routine samples during February 2015.

Because we did not collect the required number of samples, we are unable to know if the water being served to our customers was free of contamination during that time. However, samples that have been collected during March 2015 have been absent of total coliform bacteria.

In the future, water system personnel plan to collect the required number of routine bacteriological samples required by regulations.

For more information please contact Larry Ostrom, R.R. Lewis Small Water Company, at (209) 948-1882.

COMPLIANCE CERTIFICATIONCitation Number: **01-02-15C-005**Name of Water System: **R.R. Lewis Small Water Company**System Number: **4600017**

As required by Section 116450 of the California Health and Safety Code, I certify that the users of the water supplied by this water system were notified of the violations of Title 22, California Code of Regulations (CCR) for the compliance period of February 2015. In addition, I certify that the R.R. Lewis Small Water Company complied with the directives of this citation as indicated below:

<u>Required Action</u>	<u>Date Completed</u>
Public Notification, as required by Directive 2(a)	_____
Public Notification, as required by Directive 2(b)	_____
Payment of \$300.00 Administrative Penalty to the Division of Drinking Water in Sacramento, as required by Directive 4	_____
_____	_____
Signature of Water System Representative	Date

Attach a copy of the direct delivery notice, a copy of the notice published in the newspaper, and a copy of the check for payment of civil penalty.

THIS FORM MUST BE COMPLETED AND RETURNED TO THE DEPARTMENT NO LATER THAN MAY 10, 2015.

Disclosure: Be advised that Section 116725 and 116730 of the California Health and Safety Code states that any person who knowingly makes any false statement on any report or document submitted for the purpose of compliance with the attached order may be liable for a civil penalty not to exceed five thousand dollars (\$5,000) for each separate violation for each day that violation continues. In addition, the violators may be prosecuted in criminal court and upon conviction, be punished by a fine of not more than \$25,000 for each day of violation, or be imprisoned in county jail not to exceed one year, or by both the fine and imprisonment.

**STATE OF CALIFORNIA
Division of Drinking Water
State Water Resources Control Board**

Notice of Citation Issuance

System Name: _____ R.R. Lewis Small Water Company _____

System Number: _____ 4600017 _____

Background Statement

During the month of March 2015, the Division of Drinking Water issued Citation Number 01-02-15C-005 to the R.R. Lewis Small Water Company. The citation carried an administrative penalty in the amount of \$300.00

Method of Payment

A check for the total amount of the administrative penalty and a copy of this form shall be submitted to the Division by **April 30, 2015**. The citation number shall be written on the check. The check shall be made payable to the California Division of Drinking Water Safe Drinking Water Account and submitted to:

SWRCB Accounting Office
Attn: Drinking Water Program
PO Box 1888
Sacramento, CA 95812-1888

Please attach check below:

State Water Board
Division of Drinking Water
364 Knollcrest Dr. #101
Redding, CA 96002



7012 3460 0003 1113 1144
7012 3460 0003 1113 1144

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only, No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
OFFICIAL USE	
Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees \$	
Sent To R.R. Lewis Small Water Company Street, Apt. No., or PO Box No. 4500 E. Fremont St. City, State, ZIP+4 Stockton, CA 95215	
PS Form 3800, August 2006 See Reverse for Instructions	

R.R. Lewis Small Water Company
4500 E. Fremont Street
Stockton, CA 95215

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

R.R. Lewis Small Water Company
4500 E. Fremont Street
Stockton, CA 95215

COMPLETE THIS SECTION ON DELIVERY

A. Signature X	<input type="checkbox"/> Agent <input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery
D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	

3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Registered <input type="checkbox"/> Insured Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> C.O.D.	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
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2. Article Number (Transfer from service label) 7012 3460 0003 1113 1144	Domestic Return Receipt PS Form 3811, February 2004	102595-02-M-1540
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